

Appln. No. 09/771,542
Amdt. dated May 21, 2004
Reply to Office Action of November 24, 2003

REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The November 24, 2004 Office Action and the Examiner's comments have been carefully considered. In response, the specification and claims are amended, claims are added, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

PRIORITY CLAIM

It is respectfully requested that the Examiner acknowledge receipt of the certified priority document, which was filed with the Patent Office on January 29, 2001 concurrently with the filing of the original application papers, to perfect the priority claim under 35 USC 119. Submitted herewith is a copy of a return receipt postcard stamped by the Patent Office acknowledging receipt of the certified priority document for the present application. If the Examiner has any questions or comments regarding the priority claim, please contact the

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undersigned at the telephone number listed below for prompt action.

SPECIFICATION

In the Office Action the specification is objected to because of certain informalities. In response, the specification is amended along the lines suggested by the Examiner. In view of the amendment of the specification, reconsideration and withdrawal of the objection to the specification are respectfully requested.

CLAIM OBJECTIONS

In the Office Action claim 9 is objected to because of certain informalities. Specifically, the Examiner contends that the word "mean" in line 1 of claim 9 should be "means." In response, claim 9 is amended in order to obviate the objection thereto. In view of the amendment of claim 9, reconsideration and withdrawal of the objection to claim 9 are respectfully requested.

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REJECTION UNDER 35 USC 112, FIRST PARAGRAPH

In the Office Action claims 5-7 are rejected under the first paragraph of 35 USC 112 as failing to comply with enablement requirement. Specifically, the Examiner contends that the term "inherent information" in claim 5, lines 11-12 and 15 is a relative term which renders the claim indefinite. In response, claim 5 is amended in order to remove the term "inherent information." In view of the amendment of claim 5, reconsideration and withdrawal of the rejection of claims 5-7 under the first paragraph of 35 USC 112 are respectfully requested.

PRIOR ART REJECTIONS

In the Office Action, claims 1, 4 and 5 are rejected under 35 USC 102(e) as being unpatentable over USP 5,974,005 (Kato). Claims 3 and 5-9 are rejected under 35 USC 103 as being unpatentable over Kato in view of USP 6,009,433 (Kurano et al.).

In response, the claims are amended to more clearly define the present claimed invention over the cited references.

Claim 1 is directed to a voice recording and reproducing apparatus including conversion means for converting inputted voice signals into digitized voice data, a data table for storing

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information to be added to the voice data as header information, recording means for adding header information stored in the data table to said voice data converted by said conversion means and for recording said voice data in voice data recording means, and changing means for communicating with an external apparatus connected to the voice recording and reproducing apparatus and for changing header information stored in the data table based upon information sent from the external apparatus.

USP 5,974,005 (Kato) discloses header information storage means (head portion), which is a header itself and provides an indication of the songs stored on the disc. Claim 1 is amended to recite a data table for storing information to be added to the voice data as information. The header information storage means of Kato (which is the header itself) is different from the data table of the present claimed invention which stores header information to be selectively added to the voice data.

With regard to the changing means, the Examiner states that the changing means is taught at column 6, lines 60-67. The external apparatus of the present claimed invention is PC 10. In the Office Action the Examiner contends that the CPU of Kato corresponds to the external apparatus of the present claimed invention. However, the CPU of Kato is included in a system

controller 23, and the system controller 23 is part of a disc apparatus 11, as is clear from Fig. 2 and the description at lines 51-53 of column 4. As a result, the CPU of Kato is not an external apparatus of the disc apparatus.

That is, Kato does not disclose, teach or suggest a voice recording and reproducing apparatus including a data table for storing information to be added to the voice data as header information, recording means for adding header information stored in the data table to said voice data converted by said conversion means and for recording said voice data in voice data recording means, and changing means for communicating with an external apparatus connected to the voice recording and reproducing apparatus and for changing header information stored in the data table based upon information sent from the external apparatus (see claim 1, lines 5-17).

Kurano et al. do not close the gap between the present claimed invention as defined by claim 1 and Kato.

In view of the foregoing, claim 1 and claims 2-4 which are dependent thereon are patentable over Kato and Kurano et al. under 35 USC 102 as well as 35 USC 103.

Claim 5 is directed to an information processing apparatus for which a plurality of data recording and reproducing apparatus

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for digitizing and recording inputted signals in a recording medium are connectable including connection number allocation means for allocating a connection number to each of the data recording and reproducing apparatuses which are connected to the information processing apparatus, identification code acquisition means for acquiring an identification code of the data recording and reproducing apparatuses connected to the information processing apparatus, storage means for storing each connection number allocated by the connection number allocation means and the identification code acquired by the identification code acquisition means, display means for displaying at least one of the connection number and the identification code stored in the storage means, first selection means for selecting at least one of the connection number and the identification code displayed by the display means, second selection means for selecting a desired data recording and reproducing apparatus from the connected plurality of data recording and reproducing apparatuses based on the selection by the first selection means, and control means for carrying out controls so that at least one of the control program and the control data of said data recording and reproducing apparatus selected by the second selection means may be changed.

In rejecting claim 5 the Examiner relies on Kato taken in combination with Kurano et al.

The CPU of Kato does not correspond to an information processing apparatus connectable to a plurality of data recording and reproducing apparatuses for digitizing and recording input signals in a recording medium. The CPU of Kato is part of a data recording and reproducing apparatus for digitizing input signals and recording them in a recording medium, and is different from an information processing apparatus to which the data recording and reproducing apparatus can be connected.

In addition, the CPU of Kurano et al. is included in a voice recording and reproducing apparatus, which merely reads out the attribute information of the data stored in the recording medium. The CPU of Kurano et al. is essentially similar to that of Kato. The identification code acquisition means as recited in amended claim 5 of the present application acquires an identification code of a data recording and reproducing apparatus, which is patentably distinct from the CPU of Kurano et al. which deals with the attribute information of the data stored in the recording medium.

That is, the present claimed invention as defined by claim 5 is patentable over the cited references because the references

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do not disclose, teach or suggest, inter alia, identification code acquisition means for acquiring an information code of the data recording and reproducing apparatuses connected to the information processing apparatus (see claim 5, lines 10-12). In view of the foregoing, claim 5 is patentable over the cited references under 35 USC 102 as well as 35 USC 103. Claims 6 and 7 are patentable over the cited references in view of their dependence on claim 5 and because the references do not disclose, teach or suggest each of the limitations set forth in claims 6 and 7.

Claims 8 and 9 are recording medium claims corresponding to claims 5 and 6. Claims 8 and 9 are patentable over the cited references for reasons, inter alia, set forth above in connection with claims 5 and 6.

In view of the foregoing, claims 1-9 are patentable over the references of record.

NEW CLAIMS

New claims 10 and 11 are added to the present application. Claim 10 is dependent on claim 5 and claim 11 is dependent on claim 8. Claims 10 and 11 are patentable over the cited references in view of their dependence on claims 5 or 8 and

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because the references of record do not disclose, teach or suggest each of the limitations set forth in claims 10 and 11.

It is respectfully believed that no additional fees are due for the presentation of claims 10 and 11. However, if any additional fees are due, please charge our Deposit Account No. 06-1378 for such sum.

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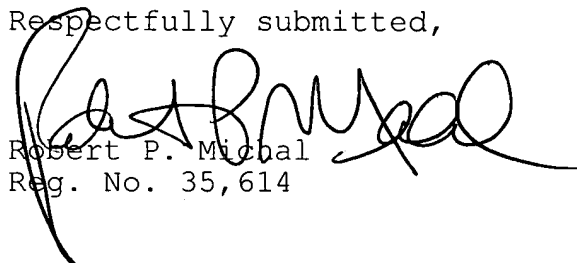
If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

Entry of this Amendment, allowance of the claims, and the passing of this application to issue are respectfully solicited.

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If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Robert P. Michal", is written over the typed name and registration number.

Robert P. Michal
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Encl.: Petition for Extension of Time
Copy of return receipt postcard stamped
received by PTO on January 29, 2001



Atty. Docket # 01045/LH

THE PATENT OFFICE ACKNOWLEDGES RECEIPT OF:

New appln: Transm. ltr (dupl.); spec, claims,
Abstract (27 pages); Declaration; Assignment
w/record. cover sheet;
4 sheets formal drawings (Figs. 1-9);
cert. priority document;
\$710. ck. #81351 & \$40. ck #81352 .

H. OKANO

LH:bv

Priority: Jan. 31.

Mailed: January 29, 2001

EXPRESS MAIL # EL 682 565 983 US

